

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

W.E. AUBUCHON CO., INC., AUBUCHON  
DISTRIBUTION, INC., W.E. AUBUCHON  
CO. INC. EMPLOYEE MEDICAL  
BENEFIT PLAN, and AUBUCHON  
DISTRIBUTION, INC. EMPLOYEE  
MEDICAL BENEFIT PLAN  
Plaintiffs,

v.

BENEFIRST, LLC,  
Defendant.

C.A. No. 05-40159FDS  
(Louis M. Ciavarra. BBO# 546481)  
(Ryan T. Killman BBO# 654562)  
(Colleen E. Cushing BBO# 663498)

**PLAINTIFFS' ASSENTED TO MOTION TO EXTEND THE TIME TO RESPOND TO  
DEFENDANT'S MOTION TO ENFORCE THIRD-PARTY SUBPOENA**

Plaintiffs, W.E. Aubuchon Co., Inc., Aubuchon Distribution, Inc., W.E. Aubuchon Co. Inc., Employee Medical Benefit Plan and Aubuchon Distribution, Inc. Employee Medical Benefit Plan (hereinafter referred to collectively as "Plaintiffs") hereby request, with the assent of Defendant, BeneFirst, LLC ("BeneFirst"), that this Court extend the time in which Plaintiffs have to respond to *Defendant BeneFirst, LLC's Motion to Enforce Third-Party Subpoena* ("Motion to Enforce"). As grounds for this Motion, Plaintiffs provide the following:

1. On March 1, 2007, BeneFirst filed and served its Motion to Enforce.
2. Pursuant to Local Rule 7.1, Plaintiffs have 14 days after service of the Motion to Enforce to file and serve an Opposition.
3. On March 9, 2007, Plaintiffs' counsel contacted BeneFirst's counsel and requested a short extension of time in which to file an Opposition to BeneFirst's Motion to Enforce.

4. Counsel for BeneFirst agreed to extend the time in which an Opposition can be filed up to and including March 21, 2007.

5. BeneFirst has assented to this Motion.

WHEREFORE, Plaintiffs request that this Honorable Court extend the time in which Plaintiffs have to submit an Opposition to *Defendant, BeneFirst, LLC's Motion to Enforce Third Party Subpoena* from March 15, 2007 to March 21, 2007.

W.E. AUBUCHON CO., INC.,  
AUBUCHON DISTRIBUTION, INC.,  
W.E. AUBUCHON CO., INC.  
EMPLOYEE MEDICAL BENEFIT PLAN, and  
AUBUCHON DISTRIBUTION, INC.  
EMPLOYEE MEDICAL BENEFIT PLAN,

By Their Attorneys,

BENEFIRST, LLC

By its attorneys,

/s/ Ryan T. Killman

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Ryan T. Killman (BBO#654562)  
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/s/ Stephen D. Rosenberg

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Dated: March 12, 2007

CERTIFICATE OF SERVICE

I, Ryan T. Killman, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 12, 2007

/s/ Ryan T. Killman

Ryan T. Killman, Esquire